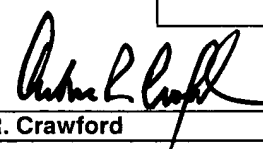


FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>2818-207</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/501135</b> Unknown
INTERNATIONAL APPLICATION NO. <b>PCT/IT03/00007</b>	INTERNATIONAL FILING DATE <b>13 January 2003</b>	PRIORITY DATE CLAIMED <b>15 January 2002</b>
TITLE OF INVENTION <b>PHENY(ALKYL)CARBOXYLIC ACID DERIVATIVES AND DIONIC PHENYLALKYLHETEROCYCLIC DERIVATIVES AND THEIR USE AS MEDICINES WITH SERUM GLUCOSE AND/OR SERUM LIPID LOWERING ACTIVITY</b>		
APPLICANT(S) FOR DO/EO/US <b>GIANESSI et al</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (97 pages specification, claims &amp; abstract (9 claims), 0 sheets drawings).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings,        page Certificate of Translation).</li> <li>b. <input type="checkbox"/> of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ol> </li> <li>10. See item 6.b. above. <b>Items 11 To 20 below concern document(s) or information included:</b></li> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information. (1) Application Data Sheet, (2) Identification of Practitioners to be Recognized and (3) PTO-1449 with copy of International Search Report</li> </ol>		

DT15 Rec'd POT/PTO 11 3 JUL 2004

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.51) <b>10/4501135</b>		INTERNATIONAL APPLICATION NO. <b>PCT/IT03/00007</b>		ATTORNEY'S DOCKET NUMBER <b>2818-207</b>	
21. <input checked="" type="checkbox"/> The following fees are submitted:					<b>CALCULATIONS</b> PTO USE ONLY
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b> -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1080.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$920.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO.....\$770.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....\$730.00 -- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....\$100.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>					\$ 920.00
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					\$ 0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	9	minus 20 =	0	X \$18.00	\$ 0.00
Independent Claims	1	minus 3 =	0	X \$86.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$290.00	\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)					\$ 0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 920.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$ 0.00
<b>SUBTOTAL =</b>					\$ 920.00
Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					\$ 0.00
<b>TOTAL NATIONAL FEE =</b>					\$ 920.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property					\$ 40.00
Fee for Petition to Revive Unintentionally Abandoned Application (\$1330.00 - Small Entity = \$665.00)					\$ 0.00
<b>TOTAL FEES ENCLOSED =</b>					\$ 960.00
					Amount to be: refunded \$
					Charged \$
a. <input checked="" type="checkbox"/> A check in the amount of \$960.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed. d. <input checked="" type="checkbox"/> The entire content of International Application No. <b>PCT/IT03/00007</b> and any U.S. and foreign application(s) corresponding thereto, and IT RM2002A000016, referred to in this application is/are hereby incorporated by reference in this application. <b>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b> <b>CORRESPONDENCE ADDRESS</b> <b>Direct all correspondence to:</b>					
<input checked="" type="checkbox"/> <b>Customer Number:</b>		<b>23117</b>		Place Customer Number Bar Label Here →	
		Type Customer Number here			
Telephone: (703) 816-4000 ARC:lmv		 <b>Arthur R. Crawford</b> NAME			
		<b>25,327</b>		<b>July 13, 2004</b>	
		REGISTRATION NUMBER		Date	

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**GIANESSI et al**Atty. Ref.: **2818-207**Serial No. **Unknown**

Group:

National Phase of: **PCT/IT03/00007**International Filing Date: **13 January 2003**Filed: **July 13, 2004**

Examiner:

For: **PHENY(ALKYL)CARBOXYLIC ACID DERIVATIVES AND  
DIONIC PHENYLALKYLHETEROCYCLIC DERIVATIVES AND  
THEIR USE AS MEDICINES WITH SERUM GLUCOSE  
AND/OR SERUM LIPID LOWERING ACTIVITY**

\* \* \* \* \*

**July 13, 2004**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**IDENTIFICATION OF PRACTITIONERS TO BE RECOGNIZED**

Of the Patent Practitioners identified in the concurrently filed Power of Attorney, please recognize the following listed Patent Practitioners as being of record in the above-identified application/patent.

**Listing of Practitioners of Record (No more than 10)**

Arthur R. Crawford	Reg. No. 25,327
Larry S. Nixon	Reg. No. 25,640
Robert W. Faris	Reg. No. 31,352
Mark E. Nusbaum	Reg. No. 32,348
Michael J. Keenan	Reg. No. 32,106
Jeffry H. Nelson	Reg. No. 30,481
John R. Lastova	Reg. No. 33,149
H. Warren Burnam, Jr.	Reg. No. 29,366
Michael J. Shea	Reg. No. 34,725

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:

**Arthur R. Crawford**

Reg. No. 25,327

**ARC:Imy**

1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100